IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA   )
) **No. 3:09-cr-00240-23**
v.   )
) **Judge Nixon**
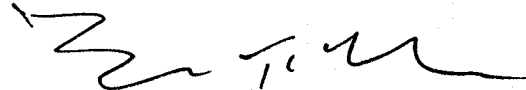PATRICK SCOTT   )

ORDER

Pending before the Court is Defendant Patrick Scott's Motion for Leave to Strike Motion to Adopt DE 1733 and to Join and Adopt Motions and Proposed Special Jury Instructions ("Motion to Adopt"). (Doc. No. 1752.) Mr. Scott requests the Court strike his previously filed motion (Doc. No. 1733), and allow him to join Defendant Paul McQuiddy's following motions filed on January 21, 2013: Motion to Permit Defense Attorneys to Choose Order of Presentation (Doc. No. 1701); Motion to Prevent Jury from Knowing Defendants are in Custody, in Shackles, or Otherwise not at Liberty (Doc. No. 1702); Motion to Prevent Introduction of Evidence that was not Properly Disclosed by the Government Prior to Trial (Doc. No. 1703); Motion to Exclude all 404(b) Proof (Doc. No. 1704); Motion to Require that the only Evidence Presented come from the Witness Stand and to Prohibit Courtroom "Displays" (Doc. No. 1705); Motion to Prohibit Presentation of Telephone Transcripts to the Jury (Doc. No. 1706); and Motion to Late File Proposed Jury Instructions and Proposed Verdict Form (Doc. No. 1707), as well as Defendant Cecil Whitmon III's Proposed Special Jury Instructions (Doc. No. 1728), filed on January 22, 2013. (*Id.*) The motions Mr. Scott requests to adopt are all currently pending before the Court.

The arguments made by Mr. McQuiddy in his motions apply equally to Mr. Scott. (*See* Doc. Nos. 1701–1707.) Accordingly, the Court **GRANTS** Mr. Scott's Motions to Adopt (Doc.

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Nos. 1752) with respect to the above-named motions filed by Mr. McQuiddy and the proposed

jury instructions filed by Mr. Whitmon (Doc. Nos. 1701–07; 1728), and **ORDERS** Mr. Scott's

previously filed motion (Doc. No. 1733) be stricken from the record.

It is so ORDERED.

Entered this the 29th day of January, 2013.

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JOHN T. NIXON, SENIOR JUDGE
UNITED STATES DISTRICT COURT

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